

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

IN RE:

SHARON HABERMAN JOHANSEN,

DEBTOR.

BANKRUPTCY NO. 03-61260
CHAPTER 7 CASE

DAVID G. VELDE, TRUSTEE,

PLAINTIFF,

VS.

ADVERSARY NO. 04-6024

SHARON HABERMAN JOHANSEN,

DEFENDANT.

ANSWER

Defendant, Sharon Haberman Johansen, hereafter “Johansen”, Answers the Complaint of the Plaintiff (“Trustee”) as follows:

1. Except as admitted, qualified, or explained, each and every allegation of the Complaint is denied.
2. For purposes of this proceeding, paragraphs 1, 2, 3, and 4 of the Complaint are admitted.
3. As to the allegations made in paragraph 5 of the Complaint, Johansen specifically denies she knowingly and fraudulently, in connection with this case, made false oaths or accounts.
4. The Complaint fails to state a claim for which relief can be granted.
5. Pending further discovery, Johansen reserves the right to seek to amend her Answer

5. Pending further discovery, Johansen reserves the right to seek to amend her Answer to allege any matter constituting an avoidance or affirmative defense.

WHEREFORE, Johansen moves the Court to dismiss the Complaint with prejudice, and to grant such other and further relief as is fair and equitable under the particular facts and circumstances of this case.

Dated this 22nd day of April, 2004.

McNAIR, LARSON & CARLSON, LTD.

By: 

DAVID L. JOHNSON, ID #3484

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Fargo, North Dakota 58108

(701) 293-9190

Attorneys for Sharon Haberman Johansen

AFFIDAVIT OF SERVICE BY MAILING

STATE OF NORTH DAKOTA)
) SS:
COUNTY OF CASS)

RE: Sharon Haberman Johansen
Bankruptcy No. 03-61260 - Chapter 7 Case
David G. Velde vs. Sharon Haberman Johansen
Adversary No. 04-6024

Dorene K. Culp, being first duly sworn on oath deposes and says that she is a secretary in the office of McNair, Larson & Carlson, Ltd., Attorneys at Law, Post Office Box 2189, 51 Broadway, Dakota Center, Fargo, North Dakota; that on the 20th day of April, 2004, she served the attached:

ANSWER

on the following persons by placing a copy thereof in an envelope addressed to them as follows:

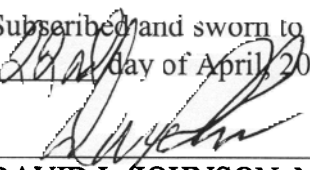
Logan Moore
Attorney at Law
1118 Broadway
Alexandria, MN 56308

David G. Velde
Chapter 7 Trustee
1118 Broadway
Alexandria, MN 56308

which address is the last address of said attorneys known to her, and the envelope with postage prepaid was deposited by her in the United States Mail at Fargo, North Dakota, for delivery by the United States Post Office Department as directed by said envelope.


DORENE K. CULP

Subscribed and sworn to before me this
20th day of April, 2004



DAVID L. JOHNSON, Notary Public
Cass County, North Dakota
My Commission Expires: 03/13/2009

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